

REMARKS

Entry of the foregoing, and further and favorable reconsideration of the subject application are respectfully requested.

Applicants gratefully acknowledge the indication by the Examiner at p. 3 of the Official Action that claims 2-4, 6-13, and 15-31 would be allowable "if rewritten in independent form including all of the limitations of the base claim and any intervening claims." By the present amendment, claims 2 and 15 have been amended to delete their dependency from claims 1 and 14, respectively. Claims 5 and 6 have been amended to change their dependency from claim 1 to claim 2. Claims 16-19, 23, and 25-28 have been amended to conform to amended claim 15. Claim 22 has been amended to depend from claim 15 rather than from claim 14. Claim 32 has been amended to delete its dependency from claim 14.

Turning now to the Official Action, claims 1, 5, and 14 are rejected under 35 USC 102(e) as purportedly anticipated by Sambonsugi et al (U.S. Patent No. 6,335,985). This rejection is respectfully traversed.

At p. 2 of the Official Action, the Examiner asserts that Sambonsugi et al. disclose "a method for extracting an object from an image, comprising steps of: receiving a query image including an object and an object extraction target image from which the object included in the query image is to be extracted." For support, the Examiner points to, *inter alia*, "Fig. 9, item 9." However, no "item 9" is present in Fig. 9 of Sambonsugi et al.

Also at p. 2 of the Official action, the Examiner asserts that the method of Sambonsugi et al. includes "determining a position of the object in the object

extraction target image using pixel based color feature matching.” For support, the Examiner points to col. 11, lines 32-50 and col. 15, lines 52-66 of Sambonsugi et al. However, the cited passages from Sambonsugi et al. make no reference to “determining a position of the object in the object extraction target image using pixel based color feature matching.” Instead, at col. 15, lines 52-66, Sambonsugi et al. teaches that the difference value between frames is calculated based on “the luminance difference between the frames, color variation, optical flow, or the like.” Because Sambonsugi et al. neither discloses nor suggests the step of determining a position of the object in the object extraction target image using pixel based color feature matching, Sambonsugi et al. does not teach every limitation of the rejected claims, as required by 35 USC 102. Accordingly, withdrawal of this rejection is respectfully requested.

Claim 32 is rejected under 35 USC 103(a) as purportedly obvious over Sambonsugi et al. This rejection is respectfully traversed.

The deficiencies of Sambonsugi et al. are discussed above. The Examiner asserts at p. 3 of the Official Action that it would be “an obvious matter of design choice” to use a computer readable recording medium in the method of claim 14. However, the use of a computer readable recording medium does not remedy the deficiencies of Sambonsugi et al. noted above. Accordingly, withdrawal of this rejection is respectfully requested.

From the foregoing, further and favorable action in the form of a Notice of Allowance is believed to be next in order and such action is earnestly solicited.

In the event that there are any questions concerning this paper, or the application in general, the Examiner is respectfully urged to telephone applicants' undersigned representative so that prosecution of the application may be expedited.

Respectfully submitted,

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